

JC06 Rec'd PCT/PTO 09 AUG 2005

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GRAYCARY**

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CENTRAL FAX CENTER****AUG 09 2005****FAX TRANSMISSION COVER SHEET**August 3, 2005To:Telephone:Fax Number:

Attn.: Missing Parts  
United States Patent and Trademark  
Office

**(571) 273-8300**

From: Gerald T. Sekimura  
(Reg. No. 30,103)  
415.836.2500

Client-Matter Number: 355325-995112

Re: U.S. Patent Application No. 10/516,907  
Filing Date: June 5, 2003  
First Named Inventor: Thomas Paddock  
Art Unit: TBD  
Examiner: TBD

Pages: - 18 - (including this form) Originals:

If there is a problem with this transmission, please call \_\_\_\_\_ at \_\_\_\_\_

Fax Operator/Ext.

**Message:**

Please see attached for filing in the above-identified U.S. patent application.

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OIPE/IAP  
AUG 12 2005****CONFIDENTIALITY NOTICE**

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

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SF3114129.1  
355325-995112

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09 AUG 2005

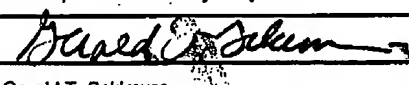
PTO/SB/21 (09-04)


Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/518,907	
	Filing Date	June 5, 2003	
	First Named Inventor	Thomas Paddock	
	Art Unit	TBD	
	Examiner Name	TBD	
Total Number of Pages in This Submission	17	Attorney Docket Number	355325-895112

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request - 1 mo. <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Copy of Original Notice to File Missing Parts 2. Certificate of Transmission
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	DLA Piper Rudnick Gray Cary US LLP	
Signature		
Printed name	Gerald T. Sekimura	
Date	August 9, 2005	Reg. No. 30,103

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Ta-Tanisha L. Moore	Date August 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AUG 09 2005

Rec'd PST/PTO 09 AUG 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 125.00

## Complete if Known

Application Number	10/516,907
Filing Date	June 5, 2003
First Named Inventor	Thomas Paddock
Examiner Name	TBD
Art Unit	TBD
Attorney Docket No.	355325-995112

## METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 07-1896 Deposit Account Name: DLA Piper Rudnick Gray Cary US LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____		

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Filing Surcharge, One-Month Extension of Time

\$125.00

## SUBMITTED BY

Signature	<i>Gerald T. Sekimura</i>	Registration No. (Attorney/Agent)	30,103	Telephone (415) 836-2500
Name (Print/Type)	Gerald T. Sekimura	Date	August 9, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/97 (09-04)

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**Certificate of Transmission under 37 CFR 1.8**

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on August 9, 2005

Date



Signature

Ta-Tanisha L. Moore

Typed or printed name of person signing Certificate

(415) 836-2500

Registration Number, if applicable

Telephone Number

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09 AUG 2005

AUG 09 2005

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**Docket No.  
355325/995112

In Re Application Of: Thomas Paddock, et al.

Serial No.  
10/516,907Filing Date  
June 5, 2003Examiner  
TBDGroup Art Unit  
TBD

## Invention:

**ACOUSTICAL VIRTUAL REALITY ENGINE AND ADVANCE TECHNIQUES FOR ENHANCING  
DELIVERED SOUND**TO THE ASSISTANT COMMISSIONER FOR PATENTS:Box Missing PartsThis is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
June 5, 2003  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
- ☐ Is/are attached.
- ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.

☒ Other (list):**Transmittal Form  
Fee Transmittal Form (x2)  
One-Month Extension of Time (x2)  
Deposit Account Authorization****BEST AVAILABLE COPY**

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08/09/2005  
09 AUG 2005

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**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
355325-995112

In Re Application Of: Thomas Paddock, et al.

Serial No.  
10/516,907

Filing Date  
June 5, 2003

Examiner  
TBD

Group Art Unit  
TBD

Invention:

**ACOUSTICAL VIRTUAL REALITY ENGINE AND ADVANCE TECHNIQUES FOR ENHANCING  
DELIVERED SOUND**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☐ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

08/17/2005 MKAYPAGH 00000070 071896 10516907

Total completion of application fees **\$65.00**

01 FC:2617 65.00 DA

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: July 11, 2005

Date

until: August 11, 2005

Date


08/17/2005 MKAYPAGH 00000070 071896 10516907

Total time extension fees **\$60.00**

02 FC:2251 60.00 DA

Total fees due **125**

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<b>Response To Notice To File Missing Parts Of Application</b> <b>Filing Date Granted (PTO-1533) (Small Entity)</b>			<b>Docket No.</b> <b>355325-995112</b>				
In Re Application Of: <b>Thomas Paddock, et al.</b>							
<b>Serial No.</b> <b>10/516,907</b>	<b>Filing Date</b> <b>June 5, 2003</b>	<b>Examiner</b> <b>TBD</b>	<b>Group Art Unit</b> <b>TBD</b>				
<b>Invention:</b> <b>ACOUSTICAL VIRTUAL REALITY ENGINE AND ADVANCE TECHNIQUES FOR ENHANCING</b> <b>DELIVERED SOUND</b>							
<p style="text-align: center;"><u><b>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</b></u> <u><b>Box Missing Parts</b></u></p> <p>The fee of <b>\$125.00</b> is to be paid as follows:</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.</p> <p style="text-align: center;"> Signature</p> <p style="text-align: right;">Dated: August 9, 2005</p> <p>Gerald T. Sekimura (Reg. No. 30,103) DLA Piper Rudnick Gray Cary US LLP 153 Townsend Street, Suite 800 San Francisco, CA 94107-1957</p> <table border="1" style="width: 100%;"><tr><td>I certify that this document and fee is being deposited on August 9, 2005 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</td></tr><tr><td>Signature of Person Mailing Correspondence</td></tr><tr><td>See attached facsimile certificate</td></tr><tr><td>Typed or Printed Name of Person Mailing Correspondence</td></tr></table> <p>CC:</p>				I certify that this document and fee is being deposited on August 9, 2005 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	Signature of Person Mailing Correspondence	See attached facsimile certificate	Typed or Printed Name of Person Mailing Correspondence
I certify that this document and fee is being deposited on August 9, 2005 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.							
Signature of Person Mailing Correspondence							
See attached facsimile certificate							
Typed or Printed Name of Person Mailing Correspondence							

[Page 3 of 3]

P31SMALLREV02

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## UNITED STATES PATENT AND TRADEMARK OFFICE

355325-995112/48

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/516,907	FIRST NAMED APPLICANT Thomas Paddock	ATTY. DOCKET NO. 2502869-995112
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Gerald T Sekimura  
Gray Cary Ware & Freidenrich  
153 Townsend Street  
Suite 800  
San Francisco, CA 94107

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MAY 16 2005

DLA PIPER RUDNICK  
GRAY CARY

INTERNATIONAL APPLICATION NO. PCT/US03/17788	
LA. FILING DATE 06/05/2003	PRIORITY DATE 06/05/2002

CONFIRMATION NO. 8733  
371 FORMALITIES LETTER



\*OC000000015987637\*

Date Mailed: 05/11/2005

Resp. Due 7/11/05 AL

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/03/2004
- Copy of the International Search Report filed on 12/03/2004
- Preliminary Amendments filed on 12/03/2004
- Information Disclosure Statements filed on 12/03/2004
- Oath or Declaration filed on 12/03/2004
- Small Entity Statement filed on 12/03/2004
- U.S. Basic National Fees filed on 12/03/2004
- Priority Documents filed on 12/03/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

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- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,907	PCT/US03/17788	2502869-995112

FORM PCT/DO/EO/905 (371 Formalities Notice)

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